

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Shapiro, Jody J.

Appl. No. : 09/986,683

Filed : November 9, 2001

For : SYSTEM, METHOD, AND COMPUTER PROGRAM  
PRODUCT FOR REMOTELY DETERMINING THE  
CONFIGURATION OF A MULTI-MEDIA CONTENT USER

Art Unit : 2155

Confirmation No. : 5864

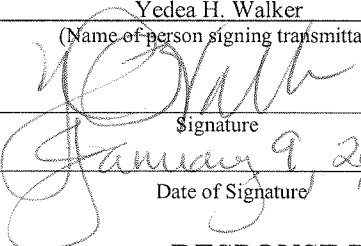
Examiner : Ismail, Shawki Saif

745 Fifth Avenue  
New York, NY 10151  
Tel. (212) 588-0800

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being transmitted via  
Electronic Filing Services on January 9, 2009.

Yedea H. Walker  
(Name of person signing transmittal)

  
Signature

January 9, 2009  
Date of Signature

**RESPONSE TO NON-COMPLIANT AMENDMENT**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**January 9, 2009**

Sir:

This Response responds to the Notice of Non-Compliant Amendment dated December 19,  
2008 (Paper No. 20081217).

**REMARKS**

In the Notice of Non-Compliant Amendment, the Examiner stated that the Drawings were not properly identified at the top margin as “new sheet”. Applicant respectfully points out that the Drawings submitted in the amendment dated September 16, 2008, was merely to provide the Examiner with FIG. 6 which appeared to be missing from the electronic file. No new matter has been entered, and support is found in the originally filed Specification.

Upon a telephone interview with the Examiner on January 6, 2009, the Examiner agreed that the Notice of Non-Compliant Amendment was incorrectly issued. Applicants respectfully request the Examiner enter the Replacement Sheet for FIG. 6.

Thus, it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

**CONCLUSION**

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicant respectfully petitions for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

By: 

Ellen Marcie Emas  
Registration No. 32,131  
202-292-1530

Date: January 9, 2009